

ORDER NO. 5544

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;
Michael Kubayanda, Vice Chairman;
Mark Acton;
Ann C. Fisher; and
Ashley E. Poling

Competitive Product Prices
Inbound Competitive Multi-Service Agreements with
Foreign Postal Operators
PRIME United States Postal Service
Tracked Service Agreement (MC2010-34)
Negotiated Service Agreement

Docket No. CP2020-169

NOTICE AND ORDER CONCERNING POSTAL SERVICE FILING
OF INBOUND COMPETITIVE MULTI-SERVICE AGREEMENT
WITH FOREIGN POSTAL OPERATORS,
PRIME UNITED STATES POSTAL SERVICE TRACKED SERVICE AGREEMENT

(Issued June 12, 2020)

I. INTRODUCTION

On June 11, 2020, the Postal Service filed a notice with the Commission pursuant to 39 CFR 3035.105 and Order No. 546,¹ giving notice that it has entered into

¹ Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Service Agreement with Foreign Postal Operators, June 11, 2020 (Notice). Docket Nos. MC2010-34 and CP2010-95, Order Adding Inbound Competitive Multi-Service Agreements with Foreign Postal Service Operators 1 to the Competitive Product List and Approving Included Agreement, September 29, 2010 (Order No. 546).

an Inbound Competitive Multi-Service Agreement with a Foreign Postal Operators (FPOs). The Notice concerns the inbound portions of the competitive product agreement PRIME United States Postal Service Tracked Service Agreement, referred to as the “PRIME Agreement.” Notice at 1. The Postal Service seeks to include the PRIME Agreement within the Inbound Competitive Multi-Service Agreement with Foreign Postal Operators 1 (MC2010-34) product. *Id.*

The Postal Service asserts that the PRIME Agreement “is functionally equivalent to the baseline agreement filed in Docket No. MC2010-34 because the terms of this agreement are similar in scope and purpose to the terms of the CP2010-95 Agreement.” *Id.* at 3. Concurrent with the Notice, the Postal Service filed supporting financial documentation and the following documents:

- Attachment 1—an application for non-public treatment;
- Attachment 2—the PRIME Agreement;
- Attachment 3—Governors’ Decision No. 19-1;
- Attachment 4—a certified statement required by 39 CFR 3035.105(c)(2).

Id. at 4-5.

The Postal Service states it intends for the PRIME Agreement to take effect on July 1, 2020. *Id.* at 1, 5. The Postal Service presents rates related to inbound competitive portions of the PRIME Agreement and not the rates paid by the Postal Service to each FPO for outbound competitive delivery. *Id.* at 5.

The Postal Service states that the PRIME Agreement is in compliance with 39 U.S.C. 3633 and is functionally equivalent to the inbound competitive portions of the CP2010-95 agreement, which was included in the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 (MC2010-34) product. *Id.* at 9. For these reasons, the Postal Service states that the PRIME Agreement should be added to the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 (MC2010-34) product. *Id.*

II. COMMISSION ACTION

The Commission establishes Docket No. CP2020-169 to consider the Notice. Interested persons may submit comments on whether the PRIME Agreement is consistent with 39 U.S.C. 3633 and 39 CFR 3035.105 and whether it is functionally equivalent to the inbound competitive portions of the Docket No. CP2010-95 agreement, which was included in the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 (MC2010-34) product. Comments are due by June 19, 2020.

The Notice and related filings are available on the Commission's website (<http://www.prc.gov>). The Commission encourages interested persons to review the Notice for further details.

The Commission appoints Katalin K. Clendenin to serve as Public Representative in this proceeding.

III. ORDERING PARAGRAPHS

It is ordered:

1. The Commission establishes Docket No. CP2020-169 for consideration of the matters raised by the Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with Foreign Postal Operators, PRIME United States Postal Service Tracked Service Agreement, filed on June 11, 2020.
2. Pursuant to 39 U.S.C. 505, Katalin K. Clendenin is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.
3. Comments by interested persons are due by June 19, 2020.

4. The Secretary shall arrange for publication of this Order in the *Federal Register*.

By the Commission.

Erica A. Barker
Secretary